



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,099	10/10/2003	Kenneth Eichhorn	HPM-55U	3045
26875	7590	06/25/2004		
WOOD, HERRON & EVANS, LLP 2700 CAREW TOWER 441 VINE STREET CINCINNATI, OH 45202			EXAMINER HEITBRINK, JILL LYNNE	
			ART UNIT	PAPER NUMBER
			1732	

DATE MAILED: 06/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/684,099

Applicant(s)

EICHHORN ET AL.

Examiner

Jill L. Heitbrink

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 10-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 10-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) ☒ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) ☐ Notice of Informal Patent Application (PTO-152) |
| 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/8/04</u> . | 6) ☐ Other: _____ |

Election/Restrictions

1. Applicant's election without traverse of Group I, claims 1-7 in the reply filed on June 4, 2004 is acknowledged.

Specification

2. The disclosure is objected to because of the following informalities: page 12, line 20 "66-88" should be -- 6-8 --.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-7, 10 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 has two steps of "positioning a second blank on the second movable die", lines 13 and 17, wherein only one step of positioning during each complete molding sequence occurs.

Claim 7, lines 15-18 and 22-24 has two steps of rotating the turret so as to align the second movable platen with the first stationary platen. The first step is believed to be erroneous since the platen must move away from the other platen before rotation can occur.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3, 5, 6 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Koch et al. Pat. No. 5,817,345.

7. Koch discloses a process of positioning a first blank (insert 502, see col. 12, lines 45-59) on a first movable die on a turret (turret block 412) of an injection molding machine, the injection molding machine having a first stationary platen (416, see col. 10, lines 40-46) and the turret movable relative to the stationary platen, the turret carrying the first and a second movable platen (mold halves 414, see col. 10, lines 28-31) having first and second movable dies, respectively, the first and second movable dies each being capable of mating with a first stationary die on the first stationary platen. Koch translates the first movable platen toward the first stationary platen in a first direction and mates the first stationary die with the first movable die using tie bars (444, see col. 10, lines 31-45). Then, molding material is injected into the first stationary die and the first movable die to mold a first part. A second blank (insert 502) is positioned on the second movable die on the turret and the cavity is opened in a second direction. The second movable platen is translated toward the first stationary platen in the first direction and mated before injection of molding material to mold a second part. The part is then removed, ejected onto a conveyor. The rotating of the turret being

Art Unit: 1732

through an arc of about 180 degrees is disclosed in the process wherein the first injected material is the first blank and this first blank is rotated 180 degrees to the second injection molding station. The rotation is disclosed as being either clockwise or counterclockwise, col. 12, lines 11-13. The positioning of the blank on the movable die occurring generally concurrently with the injection molding of the first part is shown by Fig. 18 of Koch.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 4, 7, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koch et al. Pat. No. 5,817,345 taken together with Quere et al. Pat. No. 2,916,768.

10. Koch et al. discloses a process essentially equivalent to that claimed as described above. Quere et al. (col. 2, lines 34 and 35) teaches that the tie bars (coupling rods 5) can be projecting from the stationary platen as an alternative to the moveable platen. It would have been obvious to a person of ordinary skill in the art to project the tie bars (444) of Koch from the stationary platen since this is a known alternative to the projection of the tie bars from the movable platen.

Art Unit: 1732

11. Claims 12-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koch et al. Pat. No. 5,817,345 taken together with Steger et al. Pat. No. 6,261,085.

12. Koch et al. discloses a process essentially equivalent to that claimed as described above. Steger et al. discloses the use of two stationary platens (24a, 24b) and a movable platen (26) with two mold parts (11a, 11b). Steger et al. teaches that the alternating of the injection provides two complete clamping cycles within one press cycle and that the structure provides an advantageous reduction of space requirements for the overall apparatus by a reduced length of the actuating cylinders. It would have been obvious to a person of ordinary skill in the art to provide two stationary platens in Koch et al. embodiment of Fig. 14 since this would reduce the space requirements of the overall apparatus and actuating cylinders.

13. Claims 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koch et al. Pat. No. 5,817,345 taken together with Steger et al. Pat. No. 6,261,085 as applied to claim 12 above, and further in view of Quere et al. Pat. No. 2,916,768.

14. Quere et al. (col. 2, lines 34 and 35) teaches that the tie bars (coupling rods 5) can be projecting from the stationary platen as an alternative to the moveable platen. It would have been obvious to a person of ordinary skill in the art to project the tie bars (444) of Koch from the stationary platen since this is a known alternative to the projection of the tie bars from the movable platen.

15. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over WO 01/19585 to Hawes et al.

16. Hawes discloses the process steps of positioning a blank on the mold (page 3, lines 29-31), translating the movable platen or carrier, mating the mold parts, injecting material, and removing the molded part at first and second stations (page 1, line 25- page 2, line 14). Hawes discloses a process essentially equivalent to that claimed except for the mold part carriers or movable platens being carried by a turret. It would have been obvious to a person of ordinary skill in the art to use the term "turret" to describe the actuator (30) of Hawes since the only function of the turret in the present claim 12 is to carry the platens and the actuator (30) carries the mold part carriers or platens.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill L. Heitbrink whose telephone number is 571-272-1199. The examiner can normally be reached on Monday - Friday 9:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael P. Colaianne can be reached on 571-272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1732

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jill L. Heitbrink
Primary Examiner
Art Unit 1732

jlh